

**II. REMARKS/ARGUMENTS**

**A. Status of the Claims**

Claim 62 has been withdrawn without prejudice or admission.

Claims 38, 47 53-61 and 63-70 are encompassed by the elected invention, including the elected species.

**B. Species Election**

The Examiner requested that Applicant elects “a species of **daily dosing** selected from the group consisting of: once (24 hr); twice (12 hr); and three times (8 hr).” Office Action, page 2 (emphasis in the original).

In response, Applicant elects without traverse the species of twice-a-day dosing.

Applicant submits that claims 38, 47 53-61 and 63-70 are encompassed by the elected species.

**III. CONCLUSION**

An early and favorable action on the merits is earnestly solicited.

Respectfully submitted,  
DAVIDSON, DAVIDSON & KAPPEL, LLC

By:   
Oleg Ioselevich, Reg. No. 56,963

DAVIDSON, DAVIDSON & KAPPEL, LLC  
Patents, Trademarks and Copyrights  
485 Seventh Avenue, 14<sup>th</sup> Floor  
New York, New York 10018  
(212) 736-1940